

01-1976-CD
KAREN S. JOHNSON et al. vs. JEFFREY W. RICE et al.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON, and
CARL JOHNSON, her husband,
Plaintiffs,

vs.

JEFFREY W. RICE, individually, and
JEFFREY W. RICE, D.M.D., P.C., a
professional corporation,

Defendants.

CIVIL DIVISION

CASE NO: 01-1976-CO

COMPLAINT IN CIVIL ACTION

Filed on behalf of Plaintiffs:

Karen S. Johnson and Carl Johnson

Counsel of Record for this party:

MARK NEFF, ESQUIRE
PA I.D. No. 42137

Firm No: 1605

EDGAR SNDYER & ASSOCIATES, LLC
Gulf Tower, Sixteen Floor
707 Grant Street
Pittsburgh, PA 15219-1925

(412) 394-1000

JURY TRIAL DEMANDED

FILED
DEC 07 2001
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN JOHNSON and)	CIVIL DIVISION
CARL JOHNSON, her husband,)	
)	CASE NO: 01-1976-CO
Plaintiffs,)	
)	
vs.)	
)	
JEFFREY W. RICE, individually, and)	
JEFFREY W. RICE, D.M.D., P.C., a)	
professional corporation,)	
)	
Defendants.)	

To: Jeffrey W. Rice, D.M.D.

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE OR KNOW A LAWYER, THEN YOU SHOULD GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

LAWYER REFERRAL SERVICE: Court Administrator - Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641, ext. 51

Pennsylvania Lawyer Referral Service
(800) 692-7375

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and)	CIVIL DIVISION
CARL JOHNSON, her husband,)	
)	
Plaintiffs,)	CASE NO.: 01 - 1976-CO
)	
vs.)	
)	
JEFFREY W. RICE, individually, and)	
JEFFREY W. RICE, D.M.D., P.C., a)	
professional corporation,)	
)	
Defendants.)	

COMPLAINT IN CIVIL ACTION

AND NOW, comes the Plaintiffs by and through their Attorneys Mark Neff, Esquire and Edgar Snyder and Associates, LLP., and file the following Complaint:

COUNT I

KAREN S. JOHNSON VS. THE DEFENDANTS

1. The Plaintiffs, KAREN S. JOHNSON and CARL JOHNSON, are husband and wife, with an address of 263 Rattlesnake Road, Brockport, Pennsylvania, 15823.
2. The Defendant Jeffrey W. Rice, is an adult individual with an address of 90 Beaver Drive, Dubois, Clearfield County, Pennsylvania.
3. The Defendant Jeffrey W. Rice, D.M.D., P.C. is a professional corporation with an address of 90 Beaver Drive, Dubois, Clearfield County, Pennsylvania
4. On March 3, 2000, the Defendants were the record owners of certain property located in the City of Dubois, Clearfield County, beginning at a post corner North Brady Street and

Scribner Avenue; thence northerly along North Brady Street, thirty-three(33) feet to a post; thence easterly and at all points parallel with East Scribner Avenue, one hundred sixty-five (165) feet to Rose Alley; thence southerly along the line of Rose Alley, thirty-three (33) feet to East Scribner Avenue; thence westerly along the line of East Scribner Avenue, one hundred sixty-five (165) feet to the place of beginning. Said premises are more commonly known as 100 North Brady Street, Dubois, Pennsylvania, 15801.

5. On March 3, 2000, the Plaintiff while traversing the sidewalk adjacent to said property on East Squibner Avenue was caused the fall sustaining serious injuries due to the dangerous and hazardous condition of the sidewalk.

6. The accident aforesaid was due solely to negligence, carelessness, recklessness of the Defendants in general and in the following particulars:

- a. In failing to keep the sidewalk running parallel to East Squibner Avenue along 100 North Brady Street in a reasonably safe condition and state of repair;
- b. In allowing to exist on said property, dangerous and hazardous condition, namely differences in elevation in the sidewalk;
- c. In failing to keep the sidewalk in a reasonable state of repair;
- d. In failing to give notice or other warning of the dangerous and hazardous condition of the sidewalk;
- e. In failing to properly inspect said sidewalk when such inspection would reveal the dangerous and hazardous condition of the sidewalk which was in existence at the time of the Plaintiff's fall.

7. As a sole result of the fall aforesaid, the Plaintiff sustained the following injuries all or some which may be permanent in nature:

- a. Complete rupture of the rotator cuff tendon of the right shoulder with medial retraction of the supraspinatus muscle;

b. A large infusion of the glenohumeral joint.

8. As a result of the accident aforesaid, the Plaintiff is experiencing pain and suffering, has had her ability to enjoy the ordinary pleasure of life diminished, she has incurred medical expenses, and has sustained a loss of earnings and/or earning capacity. She has also been forced to undergo surgery resulting in severe scarring of her right shoulder area.

WHEREFORE, the Plaintiffs demand judgment of the Defendants in an amount in excess of the applicable arbitration limits.

JURY TRIAL IS DEMANDED.

COUNT II
CARL JOHNSON VS. THE DEFENDANTS

8. The Plaintiffs' hereby incorporate by reference all proceeding paragraphs.

9. Due to the injuries sustained by the Plaintiff Karen S. Johnson, her husband, Carl Johnson has been deprived of the aid, companionship, society, and comfort of his wife.

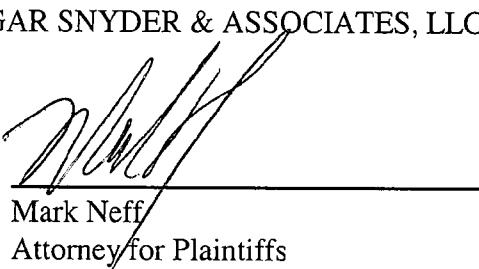
WHEREFORE, the Plaintiffs demand judgment of the Defendants in an amount in excess of the applicable arbitration limits.

JURY TRIAL IS DEMANDED.

Respectfully Submitted,

EDGAR SNYDER & ASSOCIATES, LLC.

BY:



Mark Neff
Attorney for Plaintiffs

VERIFICATION

We, KAREN S. JOHNSON and CARL JOHNSON, husband and wife, hereby verify that the foregoing averments of fact are true and correct and based upon our personal knowledge, information or belief. We understand that these averments of fact are made subject to the penalties of 18 Purdons Consolidate Statutes Section 4904, relating to unsworn falsification to authorities.

Karen S. Johnson
KAREN S. JOHNSON

Carl Johnson
CARL JOHNSON

Date: 11/20/01

FILED

DEC 17 2001 80⁰⁰
On 12:01 P.M.

~~Red~~
William A. ~~Sign~~
SAC
Prothonotary

1 cc to Sheriff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and CARL JOHNSON, her husband, Plaintiffs	Type of Case: Civil Action No. 01-1976-CD
-vs-	Type of Pleading:
JEFFREY W. RICE, individually, and JEFFREY W. RICE, D.M.D., P.C., a professional corporation, Defendants	Praecipe for Entry of Appearance Filed on Behalf of: Defendants Counsel of Record for This Party: Matthew B. Taladay, Esq. Supreme Court No. 49663 Hanak, Guido and Taladay 498 Jeffers Street P.O. Box 487 DuBois, PA 15801 (814) 371-7768

FILED
JAN 02 2002
m111051n0cc
William A. Shaw
Prothonotary *GRH*

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

No. 01-1976-CD

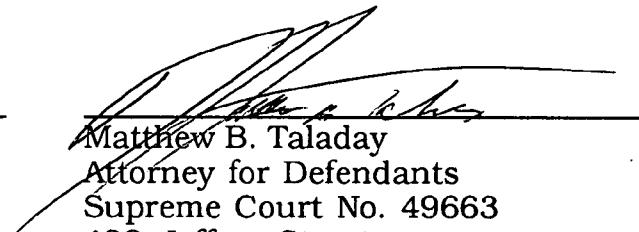
JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance for the Defendants, Jeffrey W. Rice and Jeffrey W. Rice, D.M.D., P.C., in the above captioned matter.

Dated: 12-31-01


Matthew B. Taladay
Attorney for Defendants
Supreme Court No. 49663
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801
(814) 371-7768

cc: Mark Neff, Esq.
Edgar Snyder & Associates, LLC
Gulf Tower, Sixteen Floor
707 Grant Street
Pittsburgh, PA 15219-1925

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11849

JOHNSON, KAREN S. & CARL

01-1976-CD

VS.

RICE, JEFFREY W. ind & JEFFREY W. RICE, D.M.D.

COMPLAINT

SHERIFF RETURNS

**NOW, DECEMBER 14, 2001 AT 9:40 A.M. EST SERVED THE WITHIN COMPLAINT
JEFFREY W. RICE, IND & JEFFREY W. RICE, D.M.D., DEFENDANT AT
EMPLOYMENT, 90 BEAVER DRIVE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA
BY HANDING TO TINA MUMA, P.I.C. A TRUE AND ATTESTED COPY OF THE
ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF.**

SERVED BY:SNYDER

Return Costs

Cost	Description
30.35	SHERIFF HAWKINS, PAID BY:ATTY.
10.00	SURCHARGE, PAID BY: ATTY.

Sworn to Before Me This

16 Day Of January 2002
Will A. Shaw

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

So Answers,

Chester Hawkins
My Name is Harry
Chester A. Hawkins
Sheriff
E
KR

FILED
01/16/02
JAN 16 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

Type of Case: Civil Action

No. 01-1976-CD

Type of Pleading:

Answer and New Matter

Filed on Behalf of:

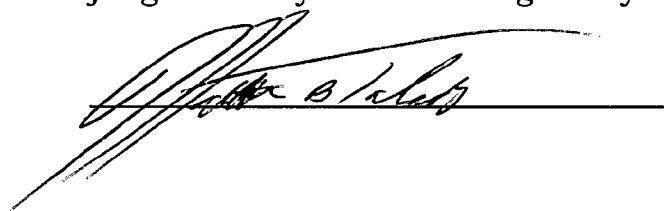
Defendants

Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

(814) 371-7768

You are hereby notified to plead
to the within pleading within twenty
(20) days of service thereof or default
judgment may be entered against you.



FILED

FEB 19 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

No. 01-1976-CD

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

ANSWER

AND NOW, comes the Defendants, Jeffrey W. Rice,
individually and Jeffrey W. Rice, D.M.D., P.C., their his attorneys,
Hanak, Guido and Taladay, and hereby responds to Plaintiffs'
Complaint as follows:

Count I
Karen S. Johnson vs. The Defendants

1. Admitted.
2. Admitted that 90 Beaver Drive is the business address of Jeffrey W. Rice.
3. Admitted.
4. Admitted.
5. Defendants deny the existence of any dangerous or hazardous condition on the sidewalk. With regard to the remaining allegations of paragraph 5, after reasonable investigation, Defendants are without information sufficient to form a belief as to their truth, therefore the same are denied and strict proof thereof is demanded at the time of trial.

6. Defendants deny all allegations of negligence, carelessness and recklessness.

7. After reasonable investigation, Defendants are without information sufficient to form a belief as to their truth, therefore the same are denied and strict proof thereof is demanded at the time of trial.

8. After reasonable investigation, Defendants are without information sufficient to form a belief as to their truth, therefore the same are denied and strict proof thereof is demanded at the time of trial.

WHEREFORE, Defendants demand judgment in their favor.
A JURY TRIAL IS DEMANDED.

Count II
Carl Johnson vs. The Defendants

8. Defendants incorporate by reference their responses to all proceeding paragraphs of Plaintiffs' Complaint.

9. After reasonable investigation, Defendants are without information sufficient to form a belief as to their truth, therefore the same are denied and strict proof thereof is demanded at the time of trial.

WHEREFORE, Defendants demand judgment in their favor.
A JURY TRIAL IS DEMANDED.

NEW MATTER

10. Defendants incorporate by reference the contents of the Complaint and their responses set forth above as if set forth in full.

11. The injuries, if any, sustained by Plaintiffs were solely and proximately the result of the negligence of Wife Plaintiff, Karen S. Johnson, which is as follows:

- (a) In failing to keep a proper lookout for her path of travel;
- (b) In being inattentive while walking on Defendant's sidewalk;
- (c) In failing to observe open and obvious variations in the terrain on which she was walking which may have existed at the time.

12. Plaintiffs' claims are barred or limited by the Doctrine of Comparative Negligence.

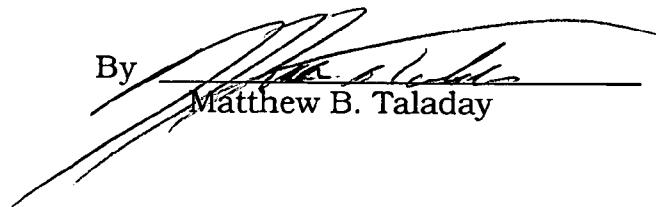
WHEREFORE, Defendants demand judgment in their favor.
A JURY TRIAL IS DEMANDED.

Respectfully submitted,

HANAK, GUIDO AND TALADAY

By

Matthew B. Taladay

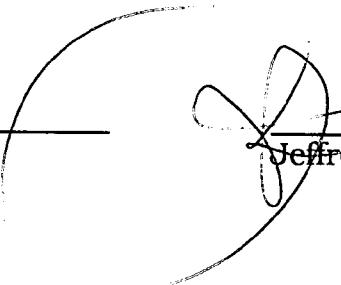
A handwritten signature in black ink, appearing to read "Matthew B. Taladay", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized 'M' at the beginning.

VERIFICATION

I, **Jeffrey W. Rice, D.M.D.**, do hereby verify that I have read the foregoing Answer & New Matter. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

Date: 02-15-02


Jeffrey W. Rice, D.M.D.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-VS-

No. 01-1976-CD

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of February, 2002, a true and correct copy of Answer and New Matter was mailed, postage prepaid to:

Mark Neff, Esq.
Attorney for Plaintiffs
Gulf Tower, Sixteen Floor
707 Grant Street
Pittsburgh, PA 15219-1925

~~Matthew B. Taladay
Attorney for Defendants~~

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

Type of Case: Civil Action

No. 01-1976-CD

Type of Pleading:

Certificate of Service

Filed on Behalf of:

Defendants

Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

(814) 371-7768

FILED

FEB 20 2002

W.A.S.
William A. Shaw
Prothonotary

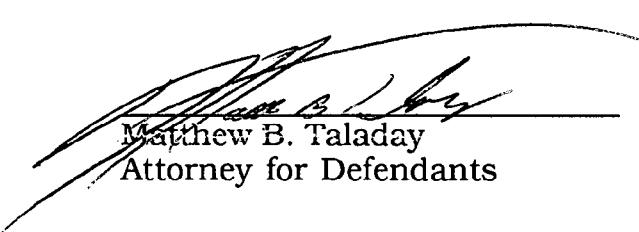
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and	:	
CARL JOHNSON, her husband,	:	
Plaintiffs	:	
:		
-vs-	:	No. 01-1976-CD
:		
JEFFREY W. RICE, individually,	:	
and JEFFREY W. RICE, D.M.D., P.C.,	:	
a professional corporation,	:	
Defendants	:	

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of February, 2002,
true and correct copies of Interrogatories and Request for Production
of Documents - First Set were mailed, postage prepaid to:

Mark Neff, Esq.
Attorney for Plaintiffs
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925


Matthew B. Taladay
Attorney for Defendants

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

Type of Case: Civil Action

No. 01-1976-CD

Type of Pleading:

Certificate of Service

Filed on Behalf of:

Defendants

Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

(814) 371-7768

FILED

MAR 22 2002
M/1055110C
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

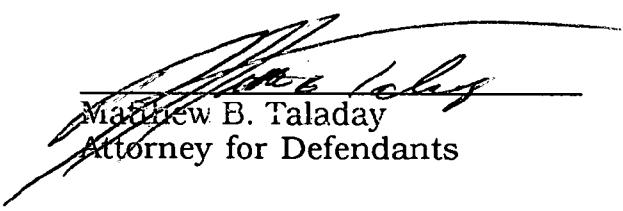
No. 01-1976-CD

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of March, 2002, two Notices of Deposition, copies attached hereto, were mailed, postage prepaid to:

Mark Neff, Esq.
Attorney for Plaintiffs
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925


Matthew B. Taladay
Attorney for Defendants

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

Type of Case: Civil Action

No. 01-1976-CD

Type of Pleading:

Notice of Deposition

Filed on Behalf of:

Defendants

Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

(814) 371-7768

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

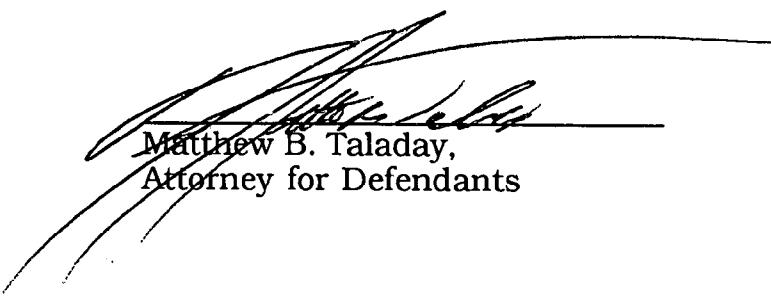
No. 01-1976-CD

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

NOTICE OF DEPOSITION

TO: KAREN S. JOHNSON
c/o Mark Neff, Esq.

TAKE NOTICE that your deposition by oral examination
will be taken on **Monday, April 15, 2002 at 11:30 a.m.** at the Law
Office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois,
Pennsylvania. This deposition is being taken for the purpose of
discovery and for use at trial, pursuant to the Pennsylvania Rules of
Civil Procedure regarding Discovery.


Matthew B. Taladay,
Attorney for Defendants

cc: Schreiber Reporting Service

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and CARL JOHNSON, her husband, Plaintiffs	:	Type of Case: Civil Action No. 01-1976-CD
 -vs-		
JEFFREY W. RICE, individually, and JEFFREY W. RICE, D.M.D., P.C., a professional corporation, Defendants	:	Type of Pleading: Notice of Deposition Filed on Behalf of: Defendants
 Counsel of Record for This Party:		
 Matthew B. Taladay, Esq. Supreme Court No. 49663 Hanak, Guido and Taladay 498 Jeffers Street P.O. Box 487 DuBois, PA 15801		
 (814) 371-7768		

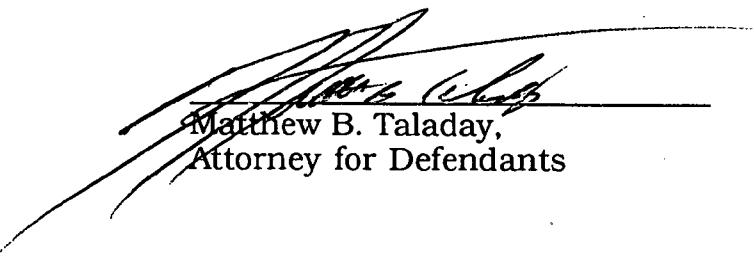
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and :
CARL JOHNSON, her husband, :
Plaintiffs :
: :
-vs- : No. 01-1976-CD
: :
JEFFREY W. RICE, individually, :
and JEFFREY W. RICE, D.M.D., P.C., :
a professional corporation, :
Defendants :
:

NOTICE OF DEPOSITION

TO: CARL JOHNSON
c/o Mark Neff, Esq.

TAKE NOTICE that your deposition by oral examination will be taken on **Monday, April 15, 2002 at 11:30 a.m.** at the Law Office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois, Pennsylvania. This deposition is being taken for the purpose of discovery and for use at trial, pursuant to the Pennsylvania Rules of Civil Procedure regarding Discovery.


Matthew B. Taladay,
Attorney for Defendants

cc: Schreiber Reporting Service

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and CARL
JOHNSON, her husband,

Plaintiffs,

vs.

JEFFREY W. RICE, individually, and
JEFFREY W. RICE, D.M.D., P.C., a
professional corporation,

Defendants.

CIVIL DIVISION

CASE NO.: 01-1976-CD

**PLAINTIFFS' REPLY TO NEW
MATTER**

Filed on behalf of Plaintiffs:

Karen S. Johnson and Carl Johnson

Counsel of record for this party:

MARK NEFF, ESQUIRE
E-mail address: mneff@edgarsnyder.com

PA I.D. No.: 42137

Firm No.: 1605

EDGAR SNYDER & ASSOCIATES, LLC
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925
(412) 394-1000

FILED

MAR 25 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and CARL
JOHNSON, her husband,

CIVIL DIVISION

Plaintiffs,

CASE NO.: 01-1976-CD

vs.

JEFFREY W. RICE, individually, and
JEFFREY W. RICE, D.M.D., P.C., a
professional corporation,

Defendants.

PLAINTIFFS' REPLY TO NEW MATTER

AND NOW, come the Plaintiffs, KAREN S. JOHNSON and CARL JOHNSON, husband and wife, by and through their Attorneys, MARK NEFF, ESQUIRE, and EDGAR SNYDER & ASSOCIATES, LLC, and file the following REPLY TO NEW MATTER, averring the following:

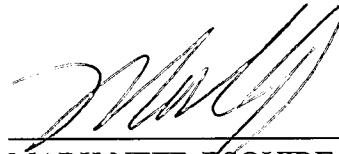
10. Admitted.
11. It is denied that the Plaintiff was in any way negligent.
12. The allegation contained in Paragraph 12 states a legal conclusion to which no response is required.

WHEREFORE, the Plaintiffs demand judgment in their favor and against the Defendants.

Respectfully submitted,

EDGAR SNYDER & ASSOCIATES, LLC

BY:



MARK NEFF, ESQUIRE
Attorney for Plaintiffs.

VERIFICATION

We, Karen S. Johnson and Carl Johnson, Plaintiffs herein, hereby verify that the averments of fact contained in the foregoing Answer to New Matter are true and correct, and based upon our personal knowledge, information or belief. We understand that these averments of fact are made subject to the penalties of 18 Purdons Consolidated Statutes Section 4904, relating to unsworn falsification to authorities.

3/14/02
Date

Karen S. Johnson
Karen S. Johnson

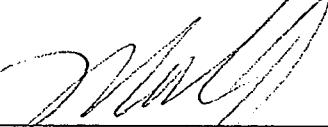
Carl Johnson
Carl Johnson

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within **REPLY TO NEW MATTER**
was served on all Counsel listed below, by First Class U.S. Mail, postage prepaid, on this 19th
day of March, 2002:

Matthew B. Taladay, Esquire
HANAK, GUIDO AND TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

EDGAR SNYDER & ASSOCIATES, LLC

BY: 

MARK NEFF, ESQUIRE
Attorney for Plaintiffs.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and CARL
JOHNSON, her husband,

Plaintiffs,

vs.

JEFFREY W. RICE, individually, and
JEFFREY W. RICE, D.M.D., P.C., a
professional corporation,

Defendants.

CIVIL DIVISION

CASE NO. 01-1976-CD

NOTICE OF SERVICE OF PLAINTIFFS
INTERROGATORIES DIRECTED TO
DEFENDANT

Filed on behalf of Plaintiff:

Karen and Carl Johnson, husband and wife.

Counsel of record for this party:

MARK NEFF, ESQUIRE
PA I.D. No.: 42137

Firm No.: 1605

EDGAR SNYDER & ASSOCIATES, LLC
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925

(412) 394-1000

JURY TRIAL DEMANDED

APR 08 2002
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William A. Shaw
Prothonotary
RJ

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and CARL
JOHNSON, her husband,

Plaintiffs,

vs.

JEFFREY W. RICE, individually, and
JEFFREY W. RICE, D.M.D., P.C., a
a professional corporation,

Defendants.

NOTICE OF SERVICE OF PLAINTIFFS INTERROGATORIES
DIRECTED TO DEFENDANT

I hereby certify that on this 4th day of April, 2002, the original Interrogatories Directed
To Defendant[s], and one (1) copy of the Notice of Service of Interrogatories were mailed by
First Class U.S. Mail, postage-prepaid, to counsel for Defendant[s] at the following address:

Matthew B. Taladay, Esquire
HANAK, GUIDO AND TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

EDGAR SNYDER & ASSOCIATES, LLC

By:

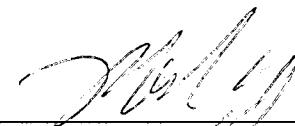


Mark Neff, Esquire
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within NOTICE OF SERVICE OF PLAINTIFFS INTERROGATORIES DIRECTED TO DEFENDANT was served on all Counsel listed below, by First Class U.S. Mail, postage prepaid, on this 4th day of April, 2002.

Matthew B. Taladay, Esquire
HANAK, GUIDO AND TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801



MARK NEFF, ESQUIRE
Attorney for Plaintiffs

CP

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and CARL JOHNSON, her husband, Plaintiffs	Type of Case: Civil Action
	No. 01-1976-CD
-vs-	Type of Pleading:
JEFFREY W. RICE, individually, and JEFFREY W. RICE, D.M.D., P.C., a professional corporation, Defendants	Motion for Protective Order
	Filed on Behalf of:
	Defendants
	Counsel of Record for This Party:
	Matthew B. Taladay, Esq. Supreme Court No. 49663 Hanak, Guido and Taladay 498 Jeffers Street P.O. Box 487 DuBois, PA 15801
	(814) 371-7768

FILED

APR 11 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and :
CARL JOHNSON, her husband, :
Plaintiffs :
: :
-vs- : No. 01-1976-CD
: :
JEFFREY W. RICE, individually, :
and JEFFREY W. RICE, D.M.D., P.C., :
a professional corporation, :
Defendants :
:

MOTION FOR PROTECTIVE ORDER UNDER RULE 4012

AND NOW, comes Defendant, Jeffrey W. Rice, by his attorneys, Hanak, Guido and Taladay, and hereby moves your Honorable Court for a Protective Order Under Rule 4012 of Pennsylvania Rules of Civil Procedure, statement of which is as follows:

1. The above captioned action represents a claim for personal injuries allegedly sustained when Plaintiff tripped and fell on a sidewalk allegedly owned or maintained by Defendant.
2. Defendant has been served with a document entitled "Plaintiff's Interrogatories Directed to Defendant", a copy of which is attached hereto as Exhibit "A".
3. The attached Interrogatories contain 73 questions representing, with subparts, approximately 153 separate questions.
4. It is contended that the within Interrogatories are "boilerplate interrogatories" not tailored to the present case, and are excess in scope and nature.

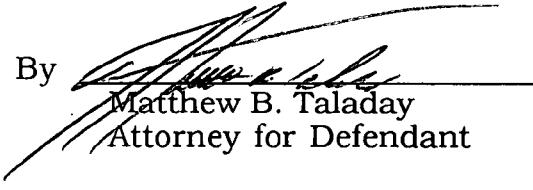
5. To require Defendant to respond to each of these questions would be unduly oppressive, greatly annoying and would serve no meaningful purpose.

WHEREFORE, Defendant respectfully requests that your Honorable Court enter an Order to protect Defendant from the above described oppression and annoyance and provide that the Interrogatories should be confined to those reasonable in length and scope as appropriate to the above captioned action.

Respectfully submitted,

HANAK, GUIDO and TALADAY

By


Matthew B. Taladay
Attorney for Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

FILED

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

William A. Shaw
Prothonotary
No. 01-1976-CD

APR 19 2002

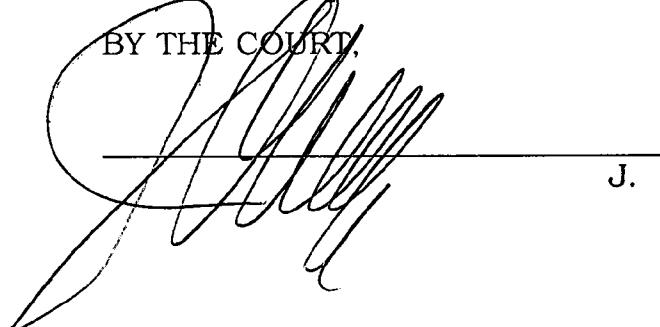
RULE TO SHOW CAUSE ORDER

AND NOW, this 19th day of April, 2002,
upon Motion of Defendant, Jeffrey W. Rice, for protection from
oppressive and annoying discovery in the form of Interrogatories and
Request for Production of Documents,

IT IS HEREBY ORDERED that Defendant is excused from
responding to the Interrogatories and Request for Production of
Documents submitted by Plaintiff; and

IT IS FURTHER ORDERED that Hearing shall be held on
the 16 day of May, 2002 at 2:00 P.m. at the
Clearfield County Courthouse, Courtroom No. 1, One North
Second Street, Clearfield, Pennsylvania, at which time this Court will
consider exceptions to the above protective order.

BY THE COURT,



J.

FILED

1 cc
03-48-01
APR 19 2002

Atty Taladay

6/5

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and CARL
JOHNSON, her husband,

Plaintiffs,

vs.

JEFFREY W. RICE, individually, and
JEFFREY W. RICE, D.M.D., P.C., a
professional corporation,

Defendants.

CIVIL DIVISION

CASE NO. 01-1976-CD

PLAINTIFFS INTERROGATORIES
DIRECTED TO DEFENDANT

Filed on behalf of Plaintiff:

Karen and Carl Johnson, husband and wife.

Counsel of record for this party:

MARK NEFF, ESQUIRE
PA I.D. No.: 42137

Firm No.: 1605

EDGAR SNYDER & ASSOCIATES, LLC
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925

(412) 394-1000

JURY TRIAL DEMANDED

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and CARL
JOHNSON, her husband,

Plaintiffs,

vs.

JEFFREY W. RICE, individually, and
JEFFREY W. RICE, D.M.D., P.C., a
a professional corporation,

Defendants.

PLAINTIFFS INTERROGATORIES DIRECTED TO DEFENDANT

TO: Jeffrey W. Rice
c/o Matthew B. Taladay, Esquire
HANAK, GUIDO and TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

AND NOW come the Plaintiffs, KAREN S. JOHNSON and CARL JOHNSON, above named, by and through their attorneys, EDGAR SNYDER & ASSOCIATES, LLC, and MARK NEFF, ESQUIRE, and demand that the Defendant, above named, answer the following Interrogatories in writing, under oath, within thirty (30) days from the service hereof, pursuant to the Pennsylvania Rules of Civil Procedure 4005, et seq.

These Interrogatories are continuing so as to require Defendant or Defendant's representatives to file supplemental Answers, under oath, if, after Answers are served, the Defendant or Defendant's representatives obtain additional information or documents not included in previous Answers.

1. State the names and present addresses of all witnesses to the events immediately preceding Plaintiff['s/s'] accident (immediately preceding is defined as the two-hour period immediately preceding the subject incident) which are known to Defendant, Defendant's attorney, agents, investigators and/or other representatives.

ANSWER:

2. State the names and present addresses of all witnesses to Plaintiff[s] accident which are known to the Defendant, Defendant's attorney, agents, investigators, or other representatives.

ANSWER:

3. State the names and present addresses of all witnesses to the events immediately subsequent to Plaintiff['s/s'] accident (immediately subsequent is defined as the two-hour period immediately subsequent the subject incident) which are known to the Defendant, Defendant's attorney, agents, investigators or other representatives.

ANSWER:

4. Please list and identify each person you intend to call as a witness during trial, or have available to testify at trial on your behalf, who is not an expert witness, and for each person:

- a. Please give his/her complete name and current or last known address;
- b. Give a complete description, to the extent known by you, of all of the facts which this witness has any personal knowledge concerning the incident which forms the basis of this action or any issue raised therein;
- c. State how long you have known the witness, and whether or not the witness is related to you; and,
- d. Give a summary of the witness' expected testimony;
- e. State whether the witness will testify to liability, damages, or both.

ANSWER:

5. State whether Defendant, or Defendant's insurers, attorneys or other representatives have any statement written, recorded or otherwise preserved of any person pertaining to any issue in this case, the claim of the Plaintiff[s] or any defense and any other person received in connection with any issue of this case.

ANSWER:

6. As to each statement referred to in answer to the previous interrogatory, please state:
 - a. Whether the statement is in question and answer or in narrative form;
 - b. Whether the person giving it received a copy of said statement;
 - c. Whether the statement was signed;
 - d. If the statement was not signed, the method by which it was adopted or approved;
 - e. The name and present address of the person by whom the statement was taken;
 - f. When the statement was taken;
 - g. Where the statement was taken;
 - h. Attach a true and correct copy of each statement;
 - i. In what manner was the statement recorded (cassette, reel to reel, disc, etc.);
 - j. State the name, address, and current employer of the person who has the original and any copy of the said recording.

ANSWER:

7. What is your:

- a) Name;
- b) Address;
- c) Age;
- d) What is your title and describe your duties with your employer.

ANSWER:

8. Were you aware, prior to the filing of the Complaint in this action, that the Plaintiff fell and was injured while on your sidewalk adjacent to the premises located at 90 Beaver Drive, Dubois, Clearfield County, Pennsylvania, on March 3, 2000?

ANSWER:

9. Did you receive notice of this accident from the Plaintiff?

ANSWER:

10. If so, please state:

- a) The date, time and place you received the notice;
- b) Whether the notice was written or oral, and, if written, the name and address of the person who now has custody of it.

ANSWER:

11. Did you receive notice of the accident from any other person?

ANSWER:

12. If so, please state:

- a) The date, time and place you received the notice;
- b) The name and address and telephone number of the person from whom you received notice;
- c) Whether the notice was written or oral, and, if written, the name and address of the person who now has custody of it.

ANSWER:

13. If you will do so without a notice to produce, attach a copy of each written notice to your answers to these Interrogatories.

ANSWER:

14. What is the name and address of each person who, on the date of the subject accident, was owner of the piece of real estate located at 90 Beaver Drive, Dubois, Clearfield County, Pennsylvania?

ANSWER:

15. If any owner was a corporation, please state:

- a) The state in which incorporated;
- b) The date of incorporation;
- c) The full name of the corporation;
- d) The address of the principal office.

ANSWER:

16. If any owner was a partnership, please state:

- a) The date when the partnership was organized;
- b) The name under which the partnership was doing business;
- c) The name and address of each partner.

ANSWER:

17. If any owner was an individual proprietor, please state:

- a) His full name;
- b) His residence address;
- c) His business address;
- d) His regular occupation.

ANSWER:

18. What is the name and address of each person who, on the date of the subject accident, was owner of the real property where the subject accident occurred?

ANSWER:

19. What was the nature and extent of each person's ownership interest?

ANSWER:

20. Were the premises on which the aforementioned rental property was located subject to any lease on the subject accident date?

ANSWER:

21. If so, for each lease, please state:

- a) The name and address of the lessor;
- b) The name and address of the lessee;
- c) The date the lease was executed;
- d) The date of termination;
- e) The extent of each person's leasehold interest;
- f) The name and address of the person who has custody of a copy of the lease.

ANSWER:

22. If you will do so without a notice to produce, attach a copy of each lease to your answers to these Interrogatories.

ANSWER:

23. What is the name, address and job title of the person who was in charge of maintaining the premises where the Plaintiff was injured?

ANSWER:

24. Where was such person located at the time of the subject accident?

ANSWER:

25. Was any person responsible for supervising the area in which Plaintiff was injured at the time of the subject accident?

ANSWER:

26. If so, for each person, please state:

- a) His name and address;
- b) His job title;
- c) A description of his duties;
- d) His location at the time of the accident.

ANSWER:

27. Were there any other employees on the premises at the time of the subject accident?

ANSWER:

28. If so, for each employee, please state:

- a) His name and address;
- b) His job title;
- c) A description of his duties;
- d) His location at the time of the accident.

ANSWER:

29. Plaintiff alleges that the failure to properly maintain the premises, including the sidewalk, caused and permitted a dangerous and hazardous condition to exist of the sidewalk, including the depressions, irregularity and uneven walking surface. Do you contend that the existence of the dangerous and hazardous condition of the sidewalk did not cause the Plaintiff's fall?

ANSWER:

30. If so, please state:

- a) What you contend caused Plaintiff to fall;
- b) On what facts do you base such contention.

ANSWER:

31. Were you or any of your co-owners, agents employees and/or rental company employees or agents aware of the problems existing with the sidewalk?

ANSWER:

32. If so, for each person who was aware of the presence of the dangerous and hazardous condition of the sidewalk, please state:

- a) His/Her name and address;
- b) The circumstances from which he received such notice;
- c) A description of the notice received;
- d) The time and place he received such notice;
- e) Whether any person informed him of its presence and if so, the name or other means of identification and address of such person who informed him;
- f) Whether he took any action as a result of such notice, and if so, a description of the action that was taken, and the time at which it was taken.

ANSWER:

33. What, if any, maintenance, repavement or repair has ever been done on the sidewalk from the point in time that you or any of your co-owners owned the property up to the present where the Plaintiff was injured?

ANSWER:

34. For what length of time prior to the accident had you or any of your co-owners been aware of the presence of a problem in which there was a dangerous and hazardous condition which existed of the sidewalk, including the depressions, irregularity and uneven walking surface?

ANSWER:

35. What is the name or other means of identification and address of each person who was aware of the dangerous and hazardous condition which existed of the sidewalk, including the depressions, irregularity and uneven walking surface, and who did not fix or repair said problem?

ANSWER:

36. Was any Defendant or co-Defendant, agent or employee responsible for seeing that the sidewalk was maintained in a safe condition?

ANSWER:

37. If so, for each such person, please state:

- a) His/Her name and address;
- b) His/Her duties in respect to the maintenance of the sidewalk;
- c) Whether he had repaired, fixed, repaved, or did any maintenance of the sidewalk at any time prior to the accident; and
- d) When was the last time any repair, repavement, or any maintenance work was done on the sidewalk; and

ANSWER:

38. Describe the location where the accident occurred.

ANSWER:

39. Does the area of the premises where the accident occurred have a particular designation?

ANSWER:

40. If so, what designation?

ANSWER:

41. Of what type of material was the walkway area where the Plaintiff fell made?

ANSWER:

42. Was any abrasive or non-skid material in use on the property at the scene of the accident?

ANSWER:

43. If so, what material?

ANSWER:

44. Did you or any co-owner or any employee receive any complaint, warning or other notice concerning a dangerous or defective condition of the sidewalk at the site of Plaintiff's accident?

ANSWER:

45. If so, for each complaint, warning or other notice, please state:

- a) The date and time it was received;
- b) Whether it was written or oral, and, if oral, the substance of it;
- c) The name or other means of identification and address of the person by whom it was given;
- d) The name, address and job title of the person who received it;
- e) The nature and location of the danger or defect to which it related;
- f) Whether any action was taken as a result of it, and if so, a description of the action and the time at which it was taken.

ANSWER:

46. If you will do so without a notice to produce, attach a copy of each written complaint, warning or other notice to your answers to these Interrogatories.

ANSWER:

47. What, if any, inspections were made prior to the accident involving the Plaintiff to determine whether the area where the Plaintiff was injured was in a safe condition for use?

ANSWER:

48. If so, please state:

- a) The frequency of such inspections;
- b) The date and time of the last inspection prior to the accident;
- c) The name, address and job title of the person who made the inspection;
- d) A description of or the substance of the findings that were made on the last inspection;
- e) Whether any instructions were given as a result of the last inspection to remove, clean or alter anything in the area of the accident, and if so, a description of the instructions and the name of each person to whom instructions were given.

ANSWER:

49. Was any inspection made of the scene of the accident subsequent to the accident?

ANSWER:

50. If so, please state:

- a) The date and time it was made;
- b) The name, address and job title of each person who made the inspection;
- c) What findings were made.

ANSWER:

51. Was any warning given to Plaintiff or any person concerning any danger in the area where the accident occurred?

ANSWER:

52. If so, for each warning, please state the substance of the warning that was given.

ANSWER:

53. What is the name, address and job title of any person, owner or co-owner of the premises who is responsible for maintaining the premises in the area where the accident occurred?

ANSWER:

54. Did you or any co-owner or any employee or agent make a report of the accident?

ANSWER:

55. If so, for each report, please state:

- a) The name, address and job title of the person who made it;
- b) The date and time it was made;
- c) The name and address of the person to whom it was made;
- d) Whether written or oral, and if written, the name and address of the person who has custody of it.

ANSWER:

56. Was there a policy of insurance that covered you or any co-owner of the property on the date of the subject accident against the type of risk here involved?

ANSWER:

57. If so, for each policy, please state:

- a) The name and address of the insurer;
- b) The number of the policy;
- c) The effective dates thereof;
- d) The nature of the coverage;
- e) The limits of liability;
- f) The name and address of the custodian of the policy.

ANSWER:

58. Does Defendant have any plans, drawings, maps, photographs, videotapes, films, charts, graphs, surveys or recordings relating to the rental premises or to the claim in this case or any defense to said claim?

ANSWER:

59. If your answer to the preceding Interrogatory is yes, as to each item, please state:

- a) Whether it is a plan, drawing, map, photograph, film, videotape, chart, graph, survey or recording;
- b) The name, address and occupation of the person who took or made it;
- c) The date, time and place it was taken or made;
- d) The name and address of the person who has custody of it; and
- e) What scene or object it shows or portrays or the information or data it contains.

ANSWER:

60. Please attach photographs, diagrams or surveys of the accident location that the Defendant or any co-Defendant has which show the premises both at the time of the purchase by Defendants and at any time up through and including the date of Plaintiff's accident through the date of the answering of these interrogatories.

ANSWER:

61. Were any statements obtained by you or in your behalf from any person concerning the accident?

ANSWER:

62. If so, for each statement, please state:

- a) The name, address, occupation and name of employer of the person who made it;
- b) The name, address and occupation of the person who obtained it;
- c) The date and time it was obtained.

ANSWER:

63. Did any person witness the accident?

ANSWER:

64. If so, for each person, please state:

- a) His name, or other means of identification, address, occupation and name of his employer; and
- b) The location from which he witnessed the accident.

ANSWER:

65. What is the name and address of each person who has any knowledge concerning the condition of the area where the accident occurred prior to the accident from the time of the purchase of the property by the Defendant or co-Defendants to the time of the accident up through the date these Interrogatories are answered?

ANSWER:

66. What is the name, or other means of identification, and address of each other person who has knowledge of any fact, or record relating to the accident?

ANSWER:

67. Has any other accident occurred on your premises in the same area as, or in a similar manner to, the accident in which the Plaintiff herein was injured? If so, state the date and time it occurred, a description of how it occurred, the name, or other means of identification, and address of the person to whom it occurred, the location in which it occurred, and what, if any, safety precautions were taken as a result of it.

ANSWER:

68. Did Defendant herein or any co-Defendant, at the time of the accident, have a policy in effect that certain of its employees and/or agents were to inspect the condition of the premises, including the sidewalk? If so, please state as follows:

- a) Was the inspection policy written? If so, please attach a copy of the policy to your answers to these Interrogatories;
- b) State the name, address, and positions of those employees, agents co-Defendants or co-owners who were to conduct the investigation of the premises and sidewalk; and
- c) State when and how the individuals were instructed on the means by which to conduct the investigation of the premises and sidewalk.

ANSWER:

69. Has defendant, or its counsel, insurance carrier, or any other representative thereof, undertaken any surveillance or other investigation of Plaintiff regarding any claim or issue relative to this or any other case?

ANSWER:

70. If the answer to the above interrogatory is yes, set forth the following:

- a) State the name and present address of each person who conducted any such investigation or surveillance;
- b) Set forth the name and current address of the person who directed that such investigation or surveillance undertaken;
- c) Set forth the dates and times of each instance of investigation or surveillance;
- d) Attach hereto a true and correct copy of each note, report, or other document or item generated as a result of said investigation or surveillance; and
- e) Any films or videotapes taken during or as a result of such investigation or surveillance, and, if so, set forth the exact nature of said film or tapes and the person who has present possession thereof.

ANSWER:

71. At the time of the Defendants' purchase of the property in question, what was the condition of the sidewalk where the accident occurred?

ANSWER:

72. Please list any repair or improvement, repavement or maintenance done to the sidewalk where the accident occurred from the date Defendants and co-Defendants took ownership of the property to the present, and please file Supplemental Answers to Interrogatories if any improvement occur subsequent to the filing of these Answers to Interrogatories.

ANSWER:

73. Who constructed, repaired or reconstructed the sidewalk of the premises where Plaintiff's accident occurred and please provide the following:

- a) The name, address and telephone number of the individual;
- b) The date when said steps were constructed;
- c) The date of any and all repairs and/or reconstructions to the sidewalk at the time of her accident from the date of Defendants' purchase through the present.

ANSWER:

EDGAR SNYDER & ASSOCIATES, LLC

By:



Mark Neff, Esquire
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within PLAINTIFFS
INTERROGATORIES DIRECTED TO DEFENDANT was served on all Counsel listed below,
by First Class U.S. Mail, postage prepaid, on this 4th day of April, 2002:

Matthew B. Taladay, Esquire
HANAK, GUIDO AND TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801



MARK NEFF, ESQUIRE
Attorney for Plaintiffs

FILED

APR 11 2002
m 11:02 1/22/02
William A. Shaw
Prothonotary
E. R. [Signature]

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

Type of Case: Civil Action

No. 01-1976-CD

Type of Pleading:

Certificate of Service

Filed on Behalf of:

Defendants

Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

(814) 371-7768

FILED

APR 22 2002
m 8:30 AM
William A. Shaw
Prothonotary
No. C



IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

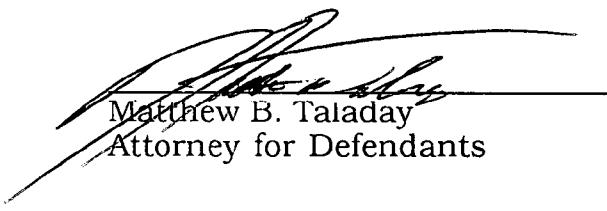
-vs- : No. 01-1976-CD

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of April, 2002,
original and one copy of Defendants' Interrogatories Directed to
Plaintiffs - Second Set, were mailed, postage prepaid to:

Mark Neff, Esq.
Attorney for Plaintiffs
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925


Matthew B. Taladay
Attorney for Defendants

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and
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-vs-

JEFFREY W. RICE, individually,
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a professional corporation,
Defendants

Type of Case: Civil Action

No. 01-1976-CD

Type of Pleading:

Certificate of Service

Filed on Behalf of:

Defendants

Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

(814) 371-7768

FILED

APR 25 2002
m/10/15 nec
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

No. 01-1976-CD

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of April, 2002, a Court certified copy of Defendants' Motion for Protective Order and Order of Court was mailed by U.S. First Class Mail, postage pre-paid, to:

Mark Neff, Esq.
Attorney for Plaintiffs
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925

Matthew B. Taladay
Matthew B. Taladay
Attorney for Defendants

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

Type of Case: Civil Action

No. 01-1976-CD

Type of Pleading:

Praecipe to
Withdraw Motion for
Protective Order

Filed on Behalf of:

Defendants

Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

(814) 371-7768

FILED

MAY 15 2002
110:31/10cc
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

No. 01-1976-CD

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

PRAECIPE TO WITHDRAW MOTION FOR PROTECTIVE ORDER

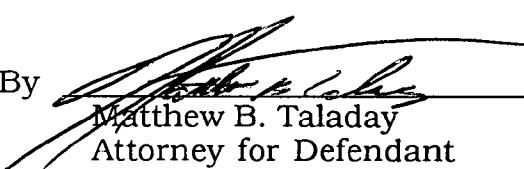
TO THE PROTHONOTARY:

Kindly withdraw the Motion for Protective Order filed on
behalf of the Defendant in the above matter.

Respectfully submitted,

HANAK, GUIDO and TALADAY

By


Matthew B. Taladay
Attorney for Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and CARL
JOHNSON, her husband,

Plaintiffs,

vs.

JEFFREY W. RICE, individually, and
JEFFREY W. RICE, D.M.D., P.C., a
professional corporation,

Defendants.

CIVIL DIVISION

CASE NO. 01-1976-CD

CERTIFICATE OF READINESS

Filed on behalf of Plaintiff:

Karen and Carl Johnson, husband and wife.

Counsel of record for this party:

MARK NEFF, ESQUIRE
PA I.D. No.: 42137

Firm No.: 1605

EDGAR SNYDER & ASSOCIATES, LLC
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925

(412) 394-1000

JURY TRIAL DEMANDED

FILED

JUN 07 2002

William A. Shaw
Prothonotary

COPY TO C/A

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
CIVIL TRIAL LISTING

CERTIFICATE OF READINESS

TO THE PROTHONOTARY

WILLIAM A. SHAW

CASE NUMBER	TYPE TRIAL REQUESTED	ESTIMATED TRIAL TIME	DATE PRESENTED
01-1976-CD	CIVIL DIVISION		6/4/2002
Date Complaint Filed: December 17, 2001	(X) Jury () Non-Jury () Arbitration	2 Days	

PLAINTIFF(S) Karen S. Johnson and Carl Johnson, husband and wife.

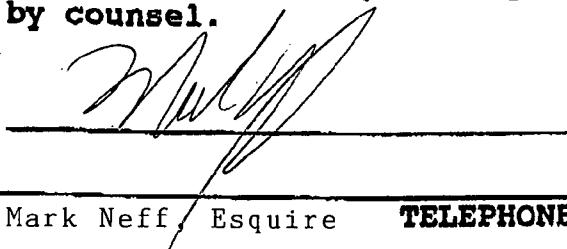
DEFENDANT(S)	Jeffrey W. Rice, individually, and Jeffrey W. Rice, DMD, PC, a professional corp.	()	Check Block if a Minor is a Party to the Case
ADDITIONAL DEFENDANT(S)		()	

JURY DEMAND FILED BY: Plaintiffs DATE JURY DEMAND FILED: December 17, 2001

AMOUNT AT ISSUE	CONSOLIDATION	DATE CONSOLIDATION ORDERED
more than arbitration limits of \$20,000.00	(X) yes () no	

PLEASE PLACE THE ABOVE CAPTIONED CASE ON THE TRIAL LIST.

I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel.



FOR THE PLAINTIFF - Mark Neff, Esquire TELEPHONE NUMBER (412) 394-4406

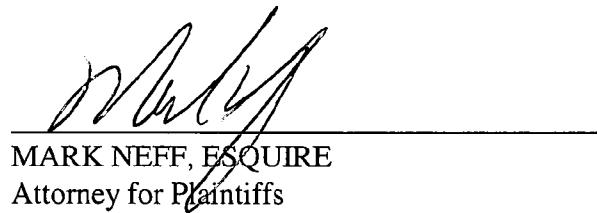
FOR THE DEFENDANT - Matthew B. Taladay TELEPHONE NUMBER (814) 371-7768

FOR ADDITIONAL DEFENDANT TELEPHONE NUMBER

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within CERTIFICATE OF READINESS was served on all Counsel listed below, by First Class U.S. Mail, postage prepaid, on this 4th day of June 4, 2002.

Matthew B. Taladay, Esquire
HANAK, GUIDO AND TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801



MARK NEFF, ESQUIRE
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

Type of Case: Civil Action

No. 01-1976-CD

Type of Pleading:

Notice of Service

Filed on Behalf of:

Defendants

Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

(814) 371-7768

FILED

AUG 08 2002
m) 11:12 no CC
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and	:	
CARL JOHNSON, her husband,	:	
Plaintiffs	:	
:		
-vs-	:	No. 01-1976-CD
:		
JEFFREY W. RICE, individually,	:	
and JEFFREY W. RICE, D.M.D., P.C.,	:	
a professional corporation,	:	
Defendants	:	
:		

NOTICE OF SERVICE

I, Matthew B. Taladay, of Hanak, Guido and Taladay, being counsel of record for Defendants, do hereby certify that I propounded on Plaintiffs, via United States mail, first class, postage pre-paid, this 7th day of August, 2002, Defendants' ANSWERS TO INTERROGATORIES to the below indicated person, at said address, being counsel of record for the Plaintiff:

Mark Neff, Esq.
Attorney for Plaintiffs
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925

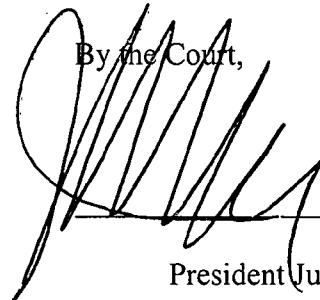
Matthew B. Taladay
Matthew B. Taladay
Attorney for Defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and :
CARL JOHNSON, her husband :
: :
-VS- : No. 01 - 1976 - CD
: :
JEFFREY W. RICE, individually, and :
JEFFREY W. RICE, D.M.D., P.C., a :
professional corporation :
:

PRE-TRIAL ORDER

NOW, this 27th day of August, 2002, following pre-trial conference in the above-captioned matter, it is the ORDER of this Court that jury selection shall be had on Friday, August 30, 2002, at 10:00 a.m. with trial by jury to commence Monday, November 18, 2002, at 9:00 a.m. and continuing through Tuesday, November 19, 2002.


By the Court,
President Judge

FILED

AUG 27 2002

William A. Shaw
Prothonotary

FILED

AUG 27 2002

EW

03871ccattelack
William A. Shaw
Prothonotary

1ccattelack

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

Type of Case: Civil Action

No. 01-1976-CD

Type of Pleading:

Notice of Service

Filed on Behalf of:

Defendants

Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

(814) 371-7768

FILED

AUG 29 2002

W/11:45 /m

William A. Shaw
Prothonotary

No 4/c 90


IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

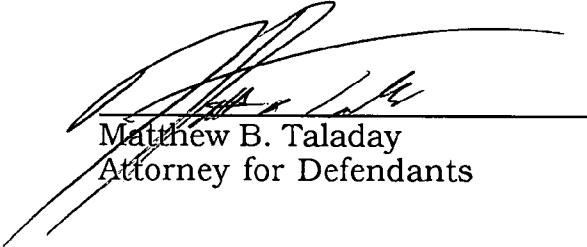
No. 01-1976-CD

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

NOTICE OF SERVICE

I, Matthew B. Taladay, of Hanak, Guido and Taladay, being
counsel of record for Defendants, do hereby certify that I propounded
on Plaintiffs, via United States mail, first class, postage pre-paid, this
28th day of August, 2002, Defendants' INTERROGATORIES DIRECTED
TO PLAINTIFFS - THIRD SET to the below indicated person, at said
address, being counsel of record for the Plaintiff:

Mark Neff, Esq.
Attorney for Plaintiffs
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925


Matthew B. Taladay
Attorney for Defendants

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

Type of Case: Civil Action

No. 01-1976-CD

Type of Pleading:

Praecipe for
Discontinuance

Filed on Behalf of:

Plaintiffs

Counsel of Record for This
Party:

Mark Neff, Esq.
PA I.D. No. 42137

Firm No.: 1605

EDGAR SNYDER &
ASSOCIATES, LLC
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925

(412) 394-1000

FILED

NOV 08 2012 *EW*
mt 3:00/m
William A. Shaw
Prothonotary/Clerk of Courts
NO CERT COPIES
COPY TO C/A

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KAREN S. JOHNSON and
CARL JOHNSON, her husband,
Plaintiffs

-vs-

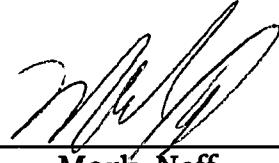
No. 01-1976-CD

JEFFREY W. RICE, individually,
and JEFFREY W. RICE, D.M.D., P.C.,
a professional corporation,
Defendants

PRAECIPE FOR DISCONTINUANCE

TO THE PROTHONOTARY:

Kindly mark the above referenced matter settled and
discontinued.



Mark Neff
Attorney for Plaintiffs

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA**

CIVIL DIVISION

**Karen S. Johnson
Carl Johnson**

**Vs.
Jeffrey W. Rice
Jeffrey W. Rice, D.M.D., P.C.**

No. 2001-01976-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on November 8, 2002 marked:

Settled and Discontued

Record costs in the sum of \$120.35 have been paid in full by Atty. for Plaintiff.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 8th day of November A.D. 2002.

William A. Shaw, Prothonotary